

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LINWOOD BRANT,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-1584
)	Judge Conti
WEXFORD HEALTH CARE SERVICES,)	Magistrate Judge Caiazza
<i>et al.</i> ,)	In Re:
)	
Defendants.)	

ORDER

Defendants Wexford Health Care Services, Dr. Flores, Dr. Gehl, Dr. Ron Lnu, and Joe McDonough (Named Defendants) were not served with the complaint and summons within 120 days of the filing, as required by Federal Rule of Civil Procedure 4(m.).

On August 4, 2005 this court issued an order for the Plaintiff to provide to this court instructions for service upon the Named Defendants along with a completed notice and waiver of summons and a copy of the complaint for each of the Named Defendants, on or before August 25, 2005. Failure to do so would result in the dismissal of the Named Defendants. The Plaintiff has failed to comply with the August 4, 2005 order.

THEREFORE, IT IS HEREBY ORDERED that Defendants Wexford Health Care Services, Dr. Flores, Dr. Gehl, Dr. Ron Lnu, and Joe McDonough are DISMISSED from this action.

August 31, 2005

s/Francis X. Caiazza
Francis X. Caiazza
U.S. Magistrate Judge

cc:

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